



Meeting Minutes - Chilmark Conservation Commission
April 6, 2023 (9 am) via Zoom

Commissioners present: Candy Shweder (Chair), Sandy Broyard, Pam Goff, Sarah Khedouri, Joan Malkin, Russel Maloney, Chris Murphy

Staff: Kara Shemeth

Public in attendance: Kristen Reimann, Leonard Bell, Jeffrey DuBard

Request for Determination of Applicability

Applicant: Leonard & Linda Bell

Address: 9 Periwinkle Lane (AP 32-63.5)

Representative: Kristen Reimann

Project: Applicant is requesting the removal of residential structures and necessary regrading upon removal, this is within the buffer zone to a coastal bank.

Documents shared: site plan, Brickstone narrative describing dismantling the house

Kristen Reimann summarized the narrative, explaining that none of the machinery needed for the demolition of the house will be driven on the water side of the house being dismantled.

Demolition of septic will be after the house is dismantled. The area will then be regraded and reseeded with conservation mix. Commissioners asked if the existing tree can be saved. Ms. Reimann explained that it is not a native cedar and not able to be saved. Commissioners asked if house can be moved. Ms. Reimann stated there is a requirement for the demolition permit to demonstrate no one is interested in moving the house.

The home owner, Leonard Bell, explained he was trying to donate the newer windows and doors and that he is still exploring donation opportunities as long as the Occupancy Permit on the new construction will not be delayed. Mr. Bell is aiming for the second week of May to begin demolition. The commissioners emphasized that the resource area is their concern and the house, foundation, and everything else underground must be removed, including wires, pipes, septic tanks, etc. The commission went on to explain that the fill must be compacted so that when the cliff erodes to the current house location, the loose soil does not fall out. The other concern from the commission is what is planted in this area.

Action: A motion was made, and seconded, to find a negative determination for this project and that the project continue with the following conditions:

1. The project is completed as described in the narrative submitted with the application, including everything being removed according to the description in the narrative.

2. There is siltation fencing along the bluff to prevent debris going into the ocean and machinery from entering the area on the ocean side of the house.
3. Ms. Reimann be onsite to ensure the compacting of the material where the removals take place.

Passed unanimously via roll call vote.

Discussion:

Foster Order of Conditions

Applicant: Barbara Hunter Foster

Address: 49 Squibnocket Farm Road (AP 35-1.28)

Representative: Kristen Reimann

Project: Applicant is seeking permission to renovate and reconfigure an existing driveway, parking area and walkway to front door and renovate and expand the outdoor shower enclosure.

Landscaping renovations to include: installation of dry laid stone patios and walkways, control vegetation, repair existing dock and viewing platform.

Ms. Reimann conveyed that the applicant does not want #7a in the draft Order of Conditions to be part of the final Order of Conditions, but rather be part of the revegetation plan, as they understand there is a requirement to come back to the conservation commission with a plan for vegetation management. The applicant will postpone construction until the commission has the opportunity to review the Order of Conditions as described in the March 16, 2023 meeting and continue this discussion at the next meeting.

Pam Goff, an abutter to Jeffrey DuBard, was put in a waiting room at 9:31am.

Jeffrey DuBard has 48 acres with a Conservation Restriction (lot 24). He owns lots: 17, 18, 19, which are built; 20, 22 (currently for sale), which are buildable lots; and 24 with the Conservation Restriction. He would like to swap 3.7 acres (size of lot 20) to be located at Middle Line Road within the current CR and lot 20, currently a buildable lot, would become part of the CR. The idea is to create 4 home site lots or 1 year-round home site. The commissioners need legal ruling on whether this is even possible to swap parcels within the Conservation Restriction. The commissioners decided that much more information would need to be provided before the discussion could continue.

At 9:58 Pam Goff is returned to the meeting.

Dune update: Sand must be barged in, which requires procuring bids as part of the procurement procedure, which Tim Carroll and Ryan Rossi are assisting with. The Harbormaster will provide some sand to reduce cost of barging in sand. The sand is scheduled for May. The cost of getting plants instead of plugs put into the sand, will be offset by the money saved from sand provided by the Harbormaster. The grant has to be completed by June.

The Beach Committee came to the Conservation Commission about the iron bars posing a danger at Squibnocket. Russell Maloney was able to remove a few, but had a conversation with Keith Emin about returning together and removing the rest. However, there is a large pole in the beach is more complicated. Mr. Emin will remove the pole when the weather is more cooperative.

Request for Determination of Applicability

Applicant: Tracey & Jackson Craig

Address: 76 Menemsha Inn Road (AP 21-33)

Representative: Barbara Lampson, not present

Project: Proposed installation of a vegetable garden, blueberry enclosure and the removal of dead trees along a coastal bank.

Documents shared: none

Action: A motion was made, and seconded, to find a negative determination for this project and that the project continue as outlined at the site visit including a vegetable garden, blueberry enclosure, and removing the dead trees, but leaving the stumps in the ground.

Passed unanimously via roll call vote.

Admin/ Discussion:

Kara Shemeth presented a question about the cobble at 21 East Lane. Ms. Shemeth noted they are submitting biannual monitoring reports as required. The current Order of Conditions expires in September. They are looking to do another refresh and wonder if the commission will require a new NOI. The commissioners asked for clarification on what is meant by a refresh and it was decided a site visit is prudent and the project proposed would require a new NOI.

The pile of fill at the Grey Barn was brought to the attention of several of the commissioners. Ms. Shemeth conducted a site visit and presented an aerial view of the fill pile adjacent to a historic dirt pile dating back to previous owners. The current fill is from Keith Fenner stockpiling material from another site to be used by Grey Barn as needed. The fill pile is greater currently than it has been historically. Ms. Shemeth presented that it is 125 – 150 feet from the river with a 4 foot berm and Grey Barn is removing fill from the side closest to the river first and will not be replacing new material in the area within 200 feet of the Tiasquam River. The conservation commission arranged for a site visit before the next meeting.

With nothing further to discuss, the meeting was adjourned at 10:22 am.

Respectfully Submitted by Carolyn Stoeber

Minutes to be approved at the 9/7/23 Conservation Commission Meeting